



Express Mailing Label # EI753863293US
PATENT
File No. E-1489

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name,

I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD OF PRODUCING HUMAN COAGULATION FACTOR VIII FROM WHOLE PLANTS OR PLANT CELL CULTURES, the specification of which

☒ is attached hereto.

☐ was filed on _____ as
Application Serial No. _____

☐ and was amended on _____
(if applicable)

☐ with amendments through _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such applications have been filed

☐ such applications have been filed as follows

Prior Foreign Application(s)

Priority
Claimed

NONE

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
			<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

NONE

(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)

(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Paul W. Zimmerman, Registration No. 34,761
Stephen R. May, Registration No. 29,255

Address all correspondence to:

Paul W. Zimmerman K1-53
Intellectual Property Services
Bartelle Memorial Institute
Pacific Northwest Division
Post Office Box 999
Richland, WA 99352

Direct all phone calls to him at (509) 375-2981

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor Brian S. Hooker

Inventor's signature *Brian S. Hooker*

5/13/98
Date

Residence Kennewick, Washington

Citizenship US

Post Office address 503 South Young Place 2st
2525 W. Grand Ronde #14, Kennewick, WA 99336

Full name of second joint inventor Ziyu Dai

Inventor's signature *Ziyu Dai*

5/13/98
Date

Residence Richland, Washington

Citizenship PRC

Post Office address 1621 George Washington Way, Apt. D-5, Richland, WA 99352
2835 Monarch Lane, (Z. D)

Full name of third joint inventor Jianwei Gao

Inventor's signature *Jianwei Gao*

5/13/98
Date

Residence Richland, Washington

Citizenship PRC

Post Office address 506 Snyder Road, Richland, WA 99352



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PATENT

File No. E-1489

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee: Brian S. Hooker, Ziyu Dai, Jianwei Gao.

Serial or Patent No.: _____

Filed or Issued: _____

For: METHOD OF PRODUCING HUMAN COAGULATION FACTOR VIII FROM WHOLE PLANTS OR PLANT CELL CULTURESVERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Battelle Memorial Institute
Pacific Northwest Division
ADDRESS OF ORGANIZATION Post Office Box 999, Richland, WA 99352

TYPE OF ORGANIZATION:

☒ Nonprofit Scientific or Educational Under Statute of State of the United States of America
(Name of State Ohio)
(Citation of Statute Sections 1719.01 and 1719.05, Rev. Code of Ohio)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled METHOD OF PRODUCING HUMAN COAGULATION FACTOR VIII FROM WHOLE PLANTS OR PLANT CELL CULTURES by inventor(s) Brian S. Hooker, Ziyu Dai, Jianwei Gao, described in

- ☐ application executed _____
☒ specification filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME NONE
ADDRESS [] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

NAME
ADDRESS [] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Stephen R. May
TITLE OF ORGANIZATION Contracting Officer, Pacific Northwest Division,
Battelle Memorial Institute
ADDRESS OF PERSON SIGNING Post Office Box 999, Richland, WA 99352

SIGNATURE

Stephen R. May

DATE

5/14/98

06-04-1998

100727055

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof.

1. Name of conveying party(ies):

BS Hooker, Z Dai, and J Gao

Additional name(s) of conveying party(ies) attached?

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: 5/13/98

2. Name and Address of receiving party(ies):

Name: Battelle Memorial Institute K1-53

Internal Address: K1-53

P.O. Box 999

Intellectual Property Services

Street Address: 902 Battelle Blvd.

Intellectual Property Services

City: Richland State: WA Zip: 99352

Additional name(s) & addresses attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 5/13/98

A. Patent Application No.(s):

09/080010

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Stephen R. May

Internal Address: K1-53

P.O. Box 999

Intellectual Property Services

Street Address: 902 Battelle Blvd.

City: Richland State: WA Zip: 99352

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

#02-1275 (Payor No. 005055)

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct, any attached copy is a true copy of the original document.

Stephen R. May

Name of person signing

Signature

Date

Total number of pages comprising cover sheet: 3

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner of Patents
Box Assignments
Washington, D.C. 20231

ASSIGNMENT

Brian S. Hooker
Ziyu Dai
Jianwei Gao

to

Battelle Memorial Institute

WHEREAS we, Brian S. Hooker, of Kennewick, in the County of Benton, and State of Washington; Ziyu Dai, of Richland, in the County of Benton, and State of Washington; Jianwei Gao, of Richland, in the County of Benton, and State of Washington, have made certain inventions in METHOD OF PRODUCING HUMAN COAGULATION FACTOR VIII FROM WHOLE PLANTS OR PLANT CELL CULTURES, for which we are about to make application for Letters Patent of the United States; and

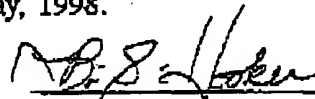
WHEREAS Battelle Memorial Institute, a corporation of Ohio, organized and existing under the laws of the State of Ohio, and having a place of business in the City of Richland, Washington, is desirous of acquiring an interest in the said invention and in any patent or patents to be obtained therefor;

NOW, THEREFORE, To All Whom It May Concern, be it known that, for and in consideration of the sum of One Dollar (\$1.00) each, and other good and valuable considerations, the receipt of which is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto the said Battelle Memorial Institute, the entire right, title, and interest in and to the invention shown, described, or claimed therein, and the full and exclusive right and title to the said application, executed by me on the 13th day of May, 1998, preparatory to obtaining Letters Patent of the United States therefor; and in and to any extensions, reissues, divisions, or renewals thereof; and we do hereby authorize and request the Commissioner of Patents or other proper Officer, to issue such Letters Patent, or any of them, to the said Battelle Memorial Institute, as the assignee of our entire right, title, and interest in and to the same for the sole use and benefit of the said Battelle Memorial Institute, and its successors or assigns.


And we further covenant and agree that we will, at the request and expense of the said Battelle Memorial Institute, execute such other and further assurances of title as may be necessary or proper to fully convey the interest herein sought to be conveyed; that we will, at the request and expense of the said Battelle Memorial Institute, execute such application papers as may be desired by the said Battelle Memorial Institute, for the filing of any division or renewal of the application herein conveyed, or for reissues or extensions, of any Letters Patent that may be granted upon said application, and will execute such Supplemental Oaths and Preliminary Statements, or other papers as desired by the said Battelle Memorial Institute.

And we further assign unto the said Battelle Memorial Institute, the whole right, title, and interest to the invention disclosed in the application throughout all countries foreign to the United States, and do hereby authorize the said Battelle Memorial Institute to apply for patents therefor in its own name in countries where such procedure is proper and to claim the benefit of the International Convention and do agree to execute applications for the said invention in the several countries where it is necessary that the same be executed by the inventors, and to execute assignments of such applications and the patents to be obtained therefor to the said Battelle Memorial Institute, the assignee herein, as well as all other necessary papers.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal
at Richland, Washington, this 13th day of May, 1998.


Brian S. Hooker

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal
at Richland, Washington, this 13th day of May, 1998.


Ziyu Dai

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my seal
at Richland, Washington, this 13 day of May, 1998.


Jianwei Gao